

Message Text

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70

ACTION EUR-25

INFO OCT-01 ADP-00 EB-11 TRSE-00 COME-00 IO-12 CIAE-00

DODE-00 PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-14 USIA-12 T-03 GAC-01 OMB-01 ACDA-19

SAJ-01 CCO-00 OTP-02 FCC-03 OC-06 USPS-02 RSR-01 /152 W
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R 121645 Z MAR 73

FM USMISSION BERLIN

TO SECSTATE WASHDC 1515

AMEMBASSY BONN

C O N F I D E N T I A L BERLIN 0437

E. O. 11652: GDS

TAGS: ETEL, PFOR, WB, GW, GE

SUBJECT: SUSPENSION OF AWP ACTIVITIES: ATT ACCOUNT

REF: A) STATE 42633 B) BONN 3535

1. IN ADDITION TO FRG PLEDGE TO COMPENSATE COMPANY IN ADVANCE IF REQUIRED (REF. B), MISSION BELIEVES FOLLOWING MAY ALSO HELP DEPARTMENT ASSUAGE ATT FEARS CONCERNING POSSIBLE GDR CLAIMS IN EXCESS OF AMOUNT ATT HAS HELD IN ESCROW ACCOUNT FOR GDR ON BASIS OF AWP ACCOUNTS FOR PERIOD SINCE 1967.

2. WITH REGARD TO TELECOMMUNICATIONS TRAFFIC BETWEEN GERMANY AND THE US, GERMANY IS CREDITOR NATION. MOST OF AMOUNT OWED BY ATT TO GDR UNDER AWP ACCOUNTING RESULTS FROM ARBITRARY DIVISION BETWEEN TWO PARTS OF GERMANY OF SUMS INVOLVED IN TELECOMMUNICATIONS TRANSIT TRAFFIC (FRG 69 PCT, GDR 31 PCT). IN THE CASE OF THE TRAFFIC INVOLVING ATT (AS IN MOST OTHER CASES), THIS ARBITRARY DIVISION ALLOTS TO GDR CONSIDERABLY GREATER SUMS THAN THEY COULD CLAIM IF ACCOUNTING WERE DONE SEPARTELY WITH EACH GERMAN STATE ON NORMAL INTERNATIONAL BASIS ACCORDING TO ACTUAL TRAFFIC, WHICH WOULD APPEAR TO BE GDR' S ONLY BASIS FOR A CLAIM OTHER THAN ACCEPTANCE OF AWP ACCOUNTS. AWP STAFF ESTIMATES, ON BASIS OF INFORMATION
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AVAILABLE TO IT, THAT A GDR CLAIM AGAINST ATT BASED ON ACTUAL TRAFFIC FOR PERIOD SINCE 1967 WOULD AMOUNT TO ABOUT ONE-THIRD AMOUNT HELD BY ATT, ASSUMING CALCULATIONS ON CURRENT RATES. EVEN IF GDR SHOULD ATTEMPT TO BASE SEPARATE CLAIM ON CONSIDERABLY HIGHER RATES THAN THOSE PREVIOUSLY PREVAILING, IT IS VERY UNLIKELY THAT SEPARATE CLAIM COULD APPROACH SUM WHICH ATT HAS SET ASIDE. IT WOULD THEREFORE BE TO GDR'S OWN FINANCIAL ADVANTAGE TO ACCEPT INFORMALLY AWP ACCOUNTS FOR PERIOD 1967 TO MAY 1, 1973, AS FRG BELIEVES IT WILL, AND THUS TO CLAIM NO MORE THAN AMOUNT ATT IS ALREADY PREPARED TO PAY. KLEIN

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NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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30 JUN 2005

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